

CITY NOT LIABLE

Damages Asked by Callaway Must be Paid by Contractors.

THE LAW ON THE SUBJECT

The Accident Happened One Day Prior to the Acceptance of the Street by the Common Council, and Became a Law After Accident.

At the last meeting of the common council J. T. Norman Callaway sent a communication to that body to the effect that on November 10, 1904, while walking along Commercial street, he ran a nail in his foot, from which he suffered physical and pecuniary damages, expending \$93.35 for medical services, and agreeing to compromise with the common council on the payment of \$200. There is no question but he suffered the injury claimed and no question but what he is entitled to pecuniary damages, but there is a question as to who is responsible for the damage.

The contract was awarded to N. Clinton & Son to improve Commercial street from Fourteenth to Seventeenth streets. The contract provided that the contractors should be liable for any and all damages occurring during the making of the improvement, and under no circumstances was the city to be liable. The injury suffered by Mr. Callaway, according to his written statement, filed in the office of the auditor, was on November 10, 1904. According to the records of the auditor's office the street was accepted from the contractors by ordinance passed November 11, 1904, and which was approved November 12, 1904. The contractors were liable for all damages occurring prior to the time the acceptance was completed which was on November 12, 1904. It follows then, that the city of Astoria is not liable in damages for the injury sustained. The question was submitted to the city attorney, and it is probable that his opinion will be along the lines herein mentioned.

SHERIFFS IN JAIL.

Mixup in the Detroit Bastille Causes Difficulty.

Detroit, Mich., Jan. 18.—With three sheriffs actually lodged in the county jail, the question who is legally the executive officer of Wayne county is a conundrum that is moving slowly toward a decision by the courts.

John T. Hoffmann, who was elected sheriff on November 8, is a prisoner at the jail under a four years' sentence for receiving money under false pretenses. Henry T. Dickson, whose term as sheriff expired on January 5, had held office four years up to that date and a constitutional law prevents him from serving longer.

William Butler, who was Dickson's turnkey, was appointed sheriff by the prosecuting attorney and county clerk's office on the ground that the office was vacant. Butler and Dickson continue to hold possession of the jail in harmony with each other, regardless of which one may eventually be declared sheriff.

However the county auditor has allowed Dickson's employees to receive their pay, thus tacitly recognizing him as sheriff, although they appointed Butler as their special representative at the jail.

CAN GO TO WORK.

Locked Out Carpenters Will Be Given Another Chance.

New York, Jan. 18.—Disensions among members of the Building Trades Employers Association have culminated in an announcement by the Thompson-Starrett Company of its intention to employ locked out members of the carpenters union.

The employers association has kept the Brotherhood of Carpenters out of employment in this city for five months, having refused to reinstate the 2600 members unless they join the new association of carpenters, which was organized by the employers, to take the place of the locked out union. The carpenters locked out had. It was claimed violated a point in the arbitration plan by joining in a sympathetic strike.

Members of the locked out union declared they would starve rather than assent to the employers demands, and it is said that much suffering has ensued among some of their families. When the news reached headquarters that work would again be commenced there was much rejoicing.

RAILROAD CHANGES.

Vanderbilt System Officials Will Be Changed to New York.

New York, Jan. 18.—Rumors that have been in circulation a long time concerning a readjustment of the administration of the various Vanderbilt roads have crystallized into a definite statement, says the Herald, that H. B.

Ledyard, president of the Michigan Central Railway Company, and M. E. Ingalls, president of the Cleveland, Cincinnati, Chicago & St. Louis Railroad Company resign from their respective positions in the near future.

While these changes do not portend any financial plan, they indicate, the Herald continues, a unification of the administrative forces of the New York Central system. In fact, all the Vanderbilt lines east of Chicago will hereafter be directly administered from the Grand Central station in this city. An official announcement is expected in a few days.

H. W. Newman, head of the New York Central, is mentioned as likely to assume the presidency of the Michigan Central and the Big Four.

SUPPORT ROOSEVELT.

Michigan Indorses Presidents Interstate Commerce Plans.

Lansing, Mich., Jan. 18.—The state house of representatives by a vote of 55 to 28 has adopted a concurrent resolution introduced by Representative Van Kuren, indorsing the policy of the president of the United States with regard to securing greater powers for the interstate commerce commission. The resolution calls upon the Michigan members in congress to support the president.

PERSONAL MENTION.

Chas. Esklund of Chinook was in the city yesterday.

Frank Dow of Seaside was in the city yesterday.

Knute Nelson of Chinook was in Astoria yesterday.

Albert Peterson of Salem is visiting friends in Astoria.

Fritz Jensen of Chinook was a visitor in Astoria yesterday.

W. C. McBride of Portland was in the city yesterday.

J. N. Hackard of Lewis and Clark was in the city yesterday.

Mr. Beach of St. Louis is in the city, the guest of H. F. Prael.

Mrs. W. B. Donaldson of Chinook was in the city yesterday.

Mrs. H. S. McGowan of McGowan's was in the city yesterday.

H. Johnson of Kalama was in the city yesterday on business.

H. F. Prael has returned from an extended business trip east.

E. B. Duffy of Portland was registered at the Occident yesterday.

Victor Bergman of Seaside was in the city yesterday on business.

A. C. Harbough of Portland registered at the Occident yesterday.

David Hood the Hoot Man, was doing his friends in Astoria yesterday.

Miss Carrie Lund of Skamokawa visited friends in Astoria yesterday.

Hon. C. F. Lester of Warrenton was in the city yesterday on business.

George Clark of the firm of Clark & Buchanan, managed to get into Astoria.

The Misses Peterson of Puget Island were visiting friends in Astoria yesterday.

Edward L. Babbidge and Mrs. Babbidge have returned from a visit to the Sound.

J. E. Alacraz, recorder and police judge of Seaside was in the city yesterday.

ria yesterday. Sheriff Linville is keeping a close lookout for him, so that no one will steal him.

Hon. Benj. Young, who has been confined to his home for the past two weeks, is able to be out again.

Judge Charles H. Carey, a prominent attorney of Portland, was in the city yesterday on legal business.

Contractor Dougan of Spokane was in town yesterday looking over the work on the new county court house.

County Commissioner Clark is ill at his home in Seaside and unable to attend the sessions of the county court.

HEDRICKS' THEATRE

THE IMPORTANT EVENT

Wednesday, Jan. 25

JOSEPH JR.

and

WILLIAM W.

JEFFERSON

in Sheridan's famous Comedy of Manners

"The Rivals"

Supported by Mr. Jefferson's All-Star Cast.

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The "Astoria Champion" Clothier

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Their "PORTLAND PROFESSIONAL."

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Hip, hip, hurrah! They are at bay!
And how their advertising man does bray.
They thought that he could do up WISE,
But soon they found to their surprise
That HERMAN was no easy mark,
And that is why these poodles bark.
Their Portland man does very fair,
But with WISE he can't compare.
Wise hit 'em in a tender spot
And that is why they are so hot.
It's very well to hire a tool,
But the public is no fool.
When HERMAN WISE begins a sale,
He makes all fakirs turn quite pale.
The moral is: If you would speil
Your sale must be all through, and REAL.

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Hats, Sox, Neckwear, Trunks and Everything Reduced.

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A First Class Concert Hall

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